

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**HITUL GANDHI, Individually and
On behalf of a class of others similarly
situated,**

v.

**DELL, INC. and
DELL MARKETING USA, L.P.**

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Civil Action No. 1:08-CV-0248 LY

RESPONSE TO COURT'S ORDER TO SHOW CAUSE

TO THE HONORABLE JUDGE OF SAID COURT:

1. On April 17, 2009, the Court ordered Counsel for Plaintiff, Meredith L. Black-Mathews to show cause concerning the failure to submit a sworn oath for admission to the Western District of Texas.
2. On April 20, 2009, counsel contacted the Court and the Clerk's office concerning the issue. During discussions with personnel in the Court's chambers and with the Clerk's office, counsel was advised to secure and submit the appropriate oath by April 22, 2009, along with counsel's response to the order. Upon request, the Clerk's office provided the appropriate oath form and admission order to counsel. Counsel contacted Judge Kinkeade in the Northern District of Texas on April 20. Judge Kinkeade was available to administer the oath on April 22, 2009, and did so. The sworn oath is attached to this Response as **Exhibit A**. The original of the signed oath has been mailed to the Clerk's office to be filed with the Court, pursuant to the Court's Order granting admission.
3. Counsel's failure to submit the oath was unintentional and the result of a clerical error concerning the forms sent by the Court in May 2008. Counsel immediately remedied

the error when it was brought to counsel's attention. Counsel requests the Court consider the attached sworn oath as timely submitted for purposes of admission.

Respectfully submitted,

/s/J. Derek Braziel

J. Derek Braziel

Texas Bar No. 00793380

Meredith Black - Mathews

Texas Bar No. 24055180

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